

**UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION**

| | | |
|--------------------------------|---|--------------------------|
| IN RE: |) | Case No: 10-10335 |
| FRENCH BROAD PLACE, LLC |) | Chapter 11 |
| Debtor. |) | |

APPLICATION FOR ORDER APPROVING SALE OF REAL ESTATE

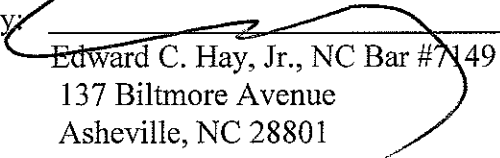
COMES NOW the Debtor above, FRENCH BROAD PLACE, LLC, who shows the Court the following:

1. This proceeding was initiated by the filing by French Broad Place of its original Petition under Chapter 11 of the Bankruptcy Code on March 25, 2010. A Chapter 11 Plan has been filed by French Broad Place, but the Plan has not yet been confirmed.
2. French Broad Place is in the business of selling condominium units at the property known as French Broad Place, 29 West Broad Street, Brevard, North Carolina, and has entered into the attached Offer to Purchase and Contract with Steven Gantz and Jill Gantz to purchase Unit 310 at French Broad Place for the sum of \$680,000.00, in accordance with the attached Offer to Purchase and Contract. French Broad Place is of the opinion that this is the fair market value of the condominium unit.
3. French Broad Place proposes that the sales proceeds be used to pay secured creditors, as provided in the DIP loan approved by the Court on April 6, 2010, to pay the usual and necessary costs of sale, and pay real estate commission to French Broad Realty of 1.5% and Exit Mountain Realty of 3%.

WHEREFORE, French Broad Place respectfully prays that an Order be entered authorizing French Broad Place to sell its real estate, free and clear of liens, upon the conditions provided herein.

THIS 23 day of February, 2011.

PITTS, HAY & HUGENSCHMIDT, P.A.
Attorney for the Debtor

By: 
Edward C. Hay, Jr., NC Bar #7149
137 Biltmore Avenue
Asheville, NC 28801
(828) 255-8085

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| FRENCH BROAD PLACE, LLC |) | Chapter 11 |
| Debtor. |) | |

NOTICE OF APPLICATION FOR ORDER APPROVING SALE OF REAL ESTATE

TAKE NOTICE that French Broad Place herein has filed an Application with this Court for the approval of sale of certain real estate as more specifically provided in the attached Application. A copy of these paper(s) is included with this Notice or copied on the reverse side of this Notice.

YOUR RIGHTS MAY BE AFFECTED. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. If you do not have an attorney, you may wish to consult one.

If you do not want the Court to order the relief sought in this Application, or if you want the Court to consider your views on the Application, then on or before *fifteen* days from the date of this Notice, you or your attorney must do three (3) things:

1. **File with the Court a written response requesting that the Court hold a hearing and explaining your position. File the response at:**

U.S. Bankruptcy Court
Federal Courthouse
100 Otis Street, Room 112
Asheville, NC 28801

If you mail your request to the Court for filing, you must mail it early enough so the Court will **receive** it on or before the date stated above.

2. **On or before the date stated above for written responses, you must also mail or fax a copy of your written request to:**

Edward C. Hay, Jr., Attorney for Debtor
137 Biltmore Ave.
Asheville, NC 28801
(828) 255-8085
Fax: (828) 251-2760

3. **Attend the hearing scheduled for March 23, 2011 at 9:30 a.m.** in Room 112, United States Bankruptcy Court, Federal Courthouse, 100 Otis Street, Asheville, NC 28801.

If you or your attorney do not take these steps, **a hearing will not be held**, and the Court may decide that you do not oppose the relief sought in the Application and may enter an Order granting that relief.

This 23 day of February, 2011.

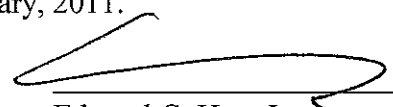
PITTS, HAY & HUGENSCHMIDT, P.A.
Attorneys for the Debtors

By: 

Edward C. Hay, Jr., NC Bar #7149
137 Biltmore Ave.
Asheville, NC 28801
(828) 255-8085

CERTIFICATE OF SERVICE

The undersigned certifies that the Application and Notice to which this Certificate is affixed was served upon the parties listed on the attached court matrix by depositing a copy of same, enclosed in a first-class postpaid wrapper properly addressed to the other parties, in a post office under the exclusive care and custody of the United States Postal Service and/or by *electronic means this 23 day of February, 2011.


Edward C. Hay, Jr.
Attorney for the Debtors

Label Matrix for local noticing
0419-1
Case 10-10335
Western District of North Carolina
Asheville
Wed Feb 23 15:54:45 EST 2011

U.S. Bankruptcy Administrator
402 W. Trade Street
Suite 200
Charlotte, NC 28202-1673

Asheville Savings Bank
P. O. Box 652
Asheville, NC 28802-0652

Builders FirstSource - Southeast Group, LLC
607 Pendleton Street, Suite 106
Greenville, SC 29601-3354

Daniel C. Bruton
Bell, Davis & Pitt, P.A.
P.O. Box 21029
Winston-Salem, NC 27120-1029

Douglas J. Tate
Post Office Box 3180
Asheville, NC 28802-3180

Ed Burdette Construction, LLC
P. O. Box 179
Cedar Mountain, NC 28718-0179

Frank and Kathlen Latell
5422 Peppertree Drive
Fort Myers, FL 33908-2136

Gary & Paula Paddick
c/o The Van Winkle Law Firm
P.O. Box 7376
Asheville, NC 28802-8506

(c)HAFNER LAND SURVEYING
435 S CALDWELL ST
BREVARD NC 28712-3903

French Broad Place LLC
29 West French Broad St., Suite 206
Brevard, NC 28712-4773

Asheville Division
U. S. Courthouse
100 Otis Street, Room 111
Asheville, NC 28801-2607

Asheville Savings Bank, S.S.B.
c/o Thomas K. McClellan
Shuford, Cagle & McClellan, PA
PO Box 1530
Asheville, NC 28802-1530

Callaway Johnson Moore West
119 Brookstown Ave., Suite 100
Winston Salem, NC 27101-5200

Dawn Rouse
222 Jacobs Ladder
Pisgah Forest, NC 28768-6703

EFO Financial Group, LLC
C/O Louis X. Amato
Louis X. Amato, P.A.
446 Airport Road
Frostproof, FL 33843-8422

Frank Latell
5422 Peppertree Dr.
Fort Myers, FL 33908-2136

Galt, LLC
P. O. Box 2659
Asheville, NC 28802-2659

Gary Paddick
Main Street
Brevard, NC 28712

Harris Architects
33 W. Probart St.
Brevard, NC 28712-4840

Mountain 1st Bank & Trust
101 Jack St.
Hendersonville, NC 28792-2952

Armistead Long
P.O. Box 7376
Asheville, NC 28802-8506

Brevard Electric Company
c/o Michael K. Pratt, Attorney
35 North Gaston Street
Brevard, NC 28712-3437

Calloway, Johnson, Moore & West, P.A.
119 Brookstown Ave., Suite 100
Winston-Slaem, NC 27101-5200

Diboco Fire Sprinklers, Inc.
Ward and Smith, P.A.
c/o Lance P. Martin
BB&T Building, Suite 1403
1 West Pack Square
Asheville, NC 28801-3401

EFO Financial Group, LLC
C/O Mark A. Pinkston
Van Winkle, Buck, Wall, Starnes & Davis
11 N. Market Street
P.O. Box 7376
Asheville, NC 28802-8506

Frank and Kathleen Latell
5422 Peppertree Dr.
Fort Myers, FL 33908-2136

Garry B. Paddick
22 Fortune Lane
Brevard, NC 28712-4497

Gina DeWolfe
136 S. Setsi Lane
Brevard, NC 28712-6412

Harris Architects
Douglas K. Harris
33 W. Probart Street
Brevard, NC 28712-4840

Heart of Brevard
24 W. Main St., Suite 211
Brevard, NC 28712-4507

(p) INTERNAL REVENUE SERVICE
CENTRALIZED INSOLVENCY OPERATIONS
PO BOX 7346
PHILADELPHIA PA 19101-7346

Jennings Builders Supply & Hardware
M. Charles Cloninger
McGuire, Wood & Bisette, P.A.
P. O. Box 3180
Asheville, NC 28802-3180

Jessie C. Fontenot, Jr.
Strauch Fitzgerald & Green, P.C.
118 South Cherry Street
Winston-Salem, NC 27101-5229

Joshua Burdette
156 S. Setsi Lane
Brevard, NC 28712-6412

Joshua and Mandi Burdette
156 S. Setsi Lane
Brevard, NC 28712-6412

LBS Properties, LLC
29 W. French Broad St. #206
Brevard, NC 28712-4773

M. Charles Cloninger
McGuire Wood & Bisette, P.A.
P. O. Box 3180
Asheville, NC 28802-3180

Mark A. Pinkston
PO Box 7376
Asheville, NC 28802-8506

Mark Latell
136 S. Setsi Lane
Brevard, NC 28712-6412

Mark and Deanna Latell
136 S. Setsi Lane
Brevard, NC 28712-6412

Mark and Dionna Latell
136 S. Setsi Lane
Brevard, NC 28712-6412

McNutt Service Group, Inc.
c/o Jessie C. Fontenot, Jr., Esquire
Strauch Fitzgerald & Green, P.C.
118 South Cherry Street
Winston-Salem, NC 27101-5229

Metromont Corp
P. O. Box 2486
Greenville, SC 29602-2486

Metromont Corporation
C/O Marjorie Rowe Mann
Roberts and Stevens, PA
Post Office Box 7647
Asheville, NC 28802-7647

Michael C. Eubanks
Attorney at Law
52-A West Main Street
P.O. Box 588
Brevard, NC 28712-0588

Michael Eubanks Atty at Law
52-A West Main St.
Brevard, NC 28712-3647

Mountain 1st Bank & Trust
19 Chestnut Street, Suite 7
Brevard, NC 28712-5590

N. C. Department of Revenue
P. O. Box 1168
Raleigh, NC 27602-1168

North Carolina Department of Revenue
Bankruptcy Unit
P.O. Box 1168
Raleigh, NC 27602-1168

Rice Property Management
P. O. Box 702
Brevard, NC 28712-0702

Scott Latell
477 Qualla Circle
Brevard, NC 28712-9003

Scott Latell
477 Qualla Dr.
Brevard, NC 28712-9003

Scott Stafstrom
1328 Crwon Isle Circle
Apopka, FL 32712-2914

Scott and Adelle Latell
477 Qualla Dr.
Brevard, NC 28712-9003

Scott and Tina Stafstrom
1328 Crwon Isle Circle
Apopka, FL 32712-2914

Smoky Mountain Materials, Inc.
c/o Chad J. Cochran
Vann & Sheridan, LLP
PO Box 2445
Raleigh, NC 27602-2445

Smoky Mountain Materials, Inc.
c/o Vann & Sheridan, LLP
PO Box 2445
Raleigh, NC 27602-2445

Steve and Jill Gantz
9933 Cooper Creek Rd.
Kalamazoo, MI 49009

Steve and Jill Gantz
c/o Douglas J. Tate
McGuire, Wood & Bisette, P.A.
P. O. Box 3180
Asheville, NC 28802-3180

Steven Gantz and Jill Gantz
Douglas J. Tate
Post Office Box 3180
Asheville, NC 28802-3180

Superior Steel Components, Inc.
2101 Sardis Road North
Suite 208
Charlotte, NC 28227-7713

Transylvania County Tax Office
Transylvania County Courthouse
12 E. Main St.
Brevard, NC 28712-3738

U.S. Securities Exchange
Suite 1000
3475 Lenox Rd., N.E.
Atlanta, GA 30326-3235

William Burdette
P. O. Box 179
Cedar Mountain, NC 28718-0179

William and Debbi Burdette
P. O. Box 179
Cedar Mountain, NC 28718-0179

Edward C. Hay Jr.
PITTS, HAY & HUGENSCHMIDT, P.A.
137 Biltmore Avenue
Asheville, NC 28801-4105

Garry and Paula Paddick
c/o The Van Winkle Law Firm
PO Box 7376
Asheville, NC 28802-8506

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g)(4).

Internal Revenue Service
P. O. Box 21126
Philadelphia, PA 19114

(d) Internal Revenue Service
P.O. Box 21126
Philadelphia, PA 19114

Addresses marked (c) above for the following entity/entities were corrected as required by the USPS Locatable Address Conversion System (LACS).

Hafler Land Surveying
427 S. Caldwell St.
Brevard, NC 28712

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(u) Asheville Savings Bank, S.S.B.

(u) Diboco Fire Sprinklers, Inc.

(u) EFO Financial Group, LLC

(u) Metromont Corporation

(u) Smoky Mountain Materials, Inc.

(d) Mountain 1st Bank & Trust
101 Jack Street
Hendersonville, NC 28792-2952

{u}Steve and Jill Gantz

| | |
|---------------------|----|
| End of Label Matrix | |
| Mailable recipients | 67 |
| Bypassed recipients | 7 |
| Total | 74 |